



Exclusion Policy

**(also see separate guidance documentation, forms etc.
provided on the Resources section of the P&WDAT website)**

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**Signed: _____
Chair of the Education and Standards Sub-Committee**



First Floor, Peninsular House • Wharf Road • Portsmouth • PO2 8HB

TEL: 02392 899682 • MOB: 07789006018

Email: amanda.johnston@portsmouth.anglican.org



PORTSMOUTH AND WINCHESTER DIOCESAN ACADEMIES TRUST Exclusion Policy (excluding guidance documents) Revision Record

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1	10 th June 2015	AJ	RSC	New policy

2	9 th February 2017	AJ	E&S	Minor amendments to reflect LA amendments as DfE guidance hasn't changed
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Local Governing Bodies and Principals are also advised to read the guidance documentation and forms that accompany this policy and are available on the Resources page of the P&W DAT website.

Introduction

This policy and DfE guidance replaces the 2008 guidance and came into force on 1st September 2012. This policy should be read in conjunction with the 2012 DfE guidance, as well as the procedures and protocols, Academy Behaviour Policy, Single Equalities Policy and relevant Local Authority Fair Access and Managed Moves Protocols. This guidance is not exhaustive and judgements will need to take account of the circumstances of individual cases. Academies should note that the parts of the DfE guidance where the word "must" is used are normally underpinned by law..

Principal's power to exclude

Only the Principal, (or, in the absence of the Principal the Deputy Principal) can exclude a pupil. Before making this decision a telephone discussion is recommended with the Academies Officer for a

fixed term exclusion and required for a permanent exclusion. If she is unavailable, an email must be sent informing her of the exclusion and she will contact you at the earliest available opportunity. Other exclusion-related activities do not have to be undertaken by the Principal personally, but may be delegated. (DfE §1)

All exclusions must be on disciplinary grounds (DfE §1)

Exclusion can either be a fixed term exclusion, for a set number of days that are not continuous, or a permanent exclusion. Fixed term exclusions cannot exceed 45 school days in any one academic year. Lunchtime exclusions may be imposed and are counted as half a school day. The limit of 45 days applies to the pupil and not the school. (DfE §1, 2)

In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to permanent. In these circumstances a new exclusion letter must be sent outlining the reasons.

Lunchtime exclusions may be imposed, and count for half a day each for statistical purposes in determining whether a meeting of the governing body is triggered. (DfE §20)

The behaviour of a pupil outside school can be considered as grounds for exclusion. This will be a matter of judgement for the Principal in accordance with the academy's published behaviour policy. (DfE §3)

The Principal has the right to withdraw an exclusion that has not been reviewed by the local governing body. (DfE §4)

Principals must take account of their legal duty of care when sending a pupil home following an exclusion. (DfE §6)

The threat of exclusion should not be used to influence parents to remove their child from school (DfE §14)

Any decision of an academy, including exclusion, must be made in line with the principles of administrative law, ie that it is lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention of Human Rights), rational, reasonable, fair, and proportionate. (DfE §5)

Informal or unofficial exclusions, such as sending pupils home to for short periods of time, for longer or indefinite periods or to cool off are unlawful, regardless of whether they occur with the agreement of the of parents or carers. Any exclusion of a pupil, even for a short period of time, must be formally recorded. (DfE §13)

It is unlawful to exclude or increase the severity of an exclusion for a non- disciplinary reason. It would be unlawful for instance to exclude a pupil simply because they have additional needs or a disability the schools feels it is unable to meet, or for a reason such as academic attainment/ability; the action of a pupil's parents; or for the failure of a pupil to meet specific conditions before they are reinstated. Pupils who repeatedly disobey their teachers' academic instructions could, however, be subject to exclusion. (DfE §12)

Under the Equality Act 2010 schools must not discriminate against ,harass, or victimise pupils because of their: sex, race, disability, religion or belief, sexual orientation, because of a pregnancy/maternity, or because of a gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices. (DfE §8)

The Equality Act requires schools to have due regard for the need to:

- eliminate discrimination and other conduct prohibited under the Equality Act,
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations across all characteristics – between people who share a protected characteristic and people who do not. (DfE §9)

These duties need to be taken into account when deciding whether to exclude a pupil. Schools must ensure that their policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion. Provisions within the Equality Act 2010 allow schools to take positive action to deal

with particular disadvantages affecting one group, where this can be shown to be a proportionate way of dealing with such issues. (DfE §10)

Principals and local governing bodies must take account of their statutory duties in relation to special educational needs when administering the exclusion process. This includes having regard to the SEN Code of Practice. (DfE §11)

This academy has a right to direct a pupil off-site for education to improve his or her behaviour. A pupil can also transfer to another school as part of a managed move where this occurs with the consent of the parties involved, including the parents. (DfE §14)

Factors a Principal should take in to account before taking the decision to exclude (DfE §15-24)

A decision to exclude a pupil permanently should be taken only as a last resort: in response to serious or persistent breaches of the academy's behaviour policy;

and

if allowing the pupil to remain in the academy would seriously harm the education or welfare of the pupil or others in the academy. (DfE §15)

The standard of proof is the civil standard – ‘on the balance of probabilities’ (DfE §5). The more serious the offence the more convincing the evidence should be.

Before making the decision to exclude, either permanently or for a fixed term, Principals should give pupils the opportunity to present their case. (DfE §16).

Whilst an exclusion may still be deemed appropriate, Principals should take account of any contributing factors that are identified following an incident of poor behaviour – for example, when it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying. (DfE §17)

Guidance stresses the importance of early, proactive intervention to analyse and alleviate any underlying causes of poor behaviour in school, particularly in relation to pupils with statements of SEN and looked after children. Guidance is that Principals should as far as possible, avoid permanently excluding any pupil with a statement of SEN or a looked after child. (DfE §23)

Schools should engage proactively with parents in supporting the behaviour of a pupil with additional needs. In relation to looked after children, schools should co-operate proactively with foster carers or children's home workers and the local authority that looks after the child. (DfE §23)

Early intervention to address any underlying causes should include an assessment of whether appropriate provision is in place to support any SEN or disability a pupil may have. Principals should also consider the use of a multi-agency assessment for pupils who demonstrate persistent disruptive behaviour. Such assessments may pick up unidentified special educational needs but the scope of the assessment could go further, for example by seeking to identify mental health or family problems. (DfE §18-24)

Individual fixed-period exclusions should be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into the school afterwards. Ofsted inspection evidence has suggested that 1-3 days are often long enough to secure the benefits of exclusion without adverse educational consequences. Where it is clear that fixed- period exclusions are not being effective in deterring poor behaviour, for example if they are being repeatedly imposed on a pupil in response to the same behaviour, Principals and teachers in charge should consider alternative strategies for addressing that behaviour.

A decision to exclude a child permanently is a serious one and should only be taken where the basic facts have been established on the balance of probabilities. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies, including multi agency involvement have been tried without success

When is exclusion not appropriate?

Exclusion should not be used or extended for non-disciplinary reasons such as:

- truancy or lateness
- pregnancy
- minor incidents such as failing to do homework
- simply because the academy feels a student has additional needs or a disability it is unable to meet (DfE §12)
- poor academic performance, except where pupils repeatedly disobey academic instructions (DfE §12)
- breaches of academy rules on uniform and appearance, except where such breaches are so persistent they constitute open defiance of academy policy (see uniform policy)
- punishing pupils for the behaviour of their parents, for example where parents refuse or are unable to attend a meeting (DfE §12)
- the failure of a pupil to meet specific conditions before they are reinstated. (DfE §12)

Even if there is parental agreement with the exclusion, exclusion for these reasons remains unlawful.

Vulnerable learners – students for whom guidance gives particular protection (DfE §20-24)

Statutory guidance identifies a number of groups of pupils for whom the exclusion rate is consistently higher than average. This includes: pupils with SEN, pupils eligible for Free School Meals, looked after children, and pupils from certain ethnic groups. The groups with the highest national rates of exclusion are: Gypsy/Roma, Travellers of Irish Heritage, and Black Caribbean communities.

Statutory guidance stresses the importance of early intervention in addressing underlying causes of all disruptive behaviour. For students with SEN or a disability the intervention should include an assessment of whether appropriate provision is in place. Principals are advised to also consider the use of a multi agency approach for all students who demonstrate persistent disruptive behaviour.

For pupils in the groups identified above, in addition to early intervention, Principals should consider what extra support might be needed to identify and address their needs in order to reduce their risk of exclusion.

The stipulations of the Equality Act 2010, covered above, detail the factors, and duties, for which schools should have due regard. As stated, schools must ensure their policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion. Provisions within the Equality Act allow schools to take positive action to deal with particular disadvantages affecting on group, where this can be shown to be a proportionate way of dealing with such issues. (DfE §10) Such guidance clearly has particular relevance for the following:

Pupils with special educational needs or disabilities. Guidance is that schools should as far as possible avoid permanently excluding statemented students or students with an Education, Health and Care Plan (EHCP). Where the academy has concerns about a pupil with additional needs or a statement of SEND or EHCP, it should engage proactively with parents in supporting behaviour. The academy should also consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has a statement of SEND or EHCP, the academy should consider requesting an early annual review or interim/emergency review.

Looked after children. As far as possible, schools should avoid permanently excluding looked after children. Where the academy does have concerns about the behaviour of a looked after child, it should co-operate proactively with foster carers or children's home workers and the local authority that looks after the child. It should also consider what additional support or alternative placement may be required. (DfE §22-24)

Disabled pupils. Schools have a statutory duty under the Equality Act 2010 not to discriminate against pupils on the basis of protected characteristics, such as disability. For disabled children this includes a duty to make reasonable adjustments to policies and practices

Students from ethnic minorities. Schools have a statutory duty under the Equality Act 2010 not to discriminate against pupils on the basis of protected characteristics, such as race. The academy should monitor and analyse exclusions by ethnicity to ensure they do not treat some groups of pupils more harshly than others. Schools are required to assess whether policies that lead to sanctions, including exclusion, have a disproportionately adverse impact on pupils from particular racial groups. If an adverse impact is identified that cannot be justified, then the policy and practice should be reviewed.

Apart from exclusion, in what circumstances can a pupil be required to leave the school site?

In the vast majority of cases, a pupil will only be asked to leave the academy when excluded. There are however three special sets of circumstances when a school can legally ask a pupil to leave the academy site without imposing an exclusion:

A pupil is accused of a serious criminal offence, but the offence took place outside the school's jurisdiction. In these circumstances the Principal may decide that it is in the interests both of the pupil and the academy for the pupil to be educated off site for a certain period, subject to review at regular intervals. This would not constitute an exclusion. It would be the academy's responsibility to ensure the pupils' full time education continues while off site, and arrangements would have to be in place before the absence began. The arrangements should be kept under periodic review involving the parents.

For medical reasons a pupil's presence on the school site represents a serious risk to the health or safety of other pupils or school staff. Principals and teachers in charge may send a pupil home, after consultation with that pupils' parents and a health professional (for example, a school nurse) as appropriate, where because of a diagnosed illness such as a notifiable disease he or she poses an immediate and serious risk to the health and safety of other pupils and staff. This is not an exclusion, but it is an authorised absence and should be recorded as such in the attendance register. It should be for the shortest possible time. If difficulties persist, the Principal should seek medical advice. Health and safety considerations, including a risk assessment, can contribute to a school's case for exclusion, but cannot in themselves be grounds for exclusion, which can only lawfully be for disciplinary reasons. Similarly, pupils cannot be sent home on health and safety grounds for their own protection because they are being bullied. It is not appropriate to send home children with special educational needs (SEN), with conditions such as attention deficit hyperactivity disorder (ADHD) and autism, purely for that reason and schools should arrange a statutory annual or interim/emergency review if they feel they are no longer able to meet a child's needs. The child should not be sent home in anticipation of such a review. (DfE §34)

The pupil is given permission to leave the school premises briefly to remedy breaches of the school's rules on behaviour or uniform. This is not an exclusion but an authorised absence. If the pupil continues to breach uniform rules as a way to be sent home to avoid school, the pupil's absence can be recorded as an unauthorised absence.

Who is responsible for an excluded pupil's continued education?

Exclusions of five days or under where a public examination is not missed. It is the responsibility of the academy to set and mark work for exclusions of five days or under. The work should be accessible and achievable by pupils outside of school. It is the responsibility of the parent to ensure work sent home is completed and returned to the academy. The parent has particular responsibility to ensure that the student is not present in a public place during school hours without reasonable justification, and may be prosecuted or given a fixed penalty notice if they fail to do so. It is suggested that, in order to respond quickly to allow pupils to work during short exclusions, generic packs of appropriate work are kept at all times. Failure to complete work, however, does not constitute a reason for refusing to allow the pupil to return to school.

Exclusions of six days or over.

When a school imposes a fixed term exclusion of over six days it is the responsibility of the school to ensure that the appropriate full time provision is made off site for the excluded student. While this provision must be made from day six onwards statutory guidance stresses the obvious benefit in starting it as soon as possible. In particular, in the case of a looked after child, schools and local authorities should work together to arrange alternative provision from the first day following the exclusion. (DfE §48)

Permanent exclusion.

When a student is permanently excluded, it is the responsibility of the school to set and mark work for the first five days. From the sixth day onward it is the responsibility of the local authority to make a full time provision. It is imperative to inform the relevant LA representative at the earliest available opportunity of the decision to permanently exclude, so that appropriate arrangements can be made. Where a pupil has a statement of SEN or EHCP, an appropriate full time placement should be identified in consultation between the local authority and the parents, who retain their rights to express a preference for a school they wish their child to attend, or make representations for a placement in any other school. (DfE §45)

Internet access

The Department for Education (DfE) guidance can be accessed at:

<https://www.gov.uk/government/publications/school-exclusion>

Section A

The role of the Local Authority

The Local Authority (LA) has a number of statutory obligations in relation to the inclusion and exclusion of children of statutory school age.

The two main areas of work are:

1. Promoting LA and government policy with regard to reducing both permanent and fixed period exclusions. A large part of the Inclusion Officers' role is to act as 'critical friend' to schools, governors, parents and interested parties (including the Trust) on issues relating to how exclusion guidance should be interpreted:
 - advise schools, governors and parents/carers on procedures relating to all exclusions and to assist where appropriate and applicable to promote effective outcomes
 - support schools where appropriate so they can ensure that suitable provision is in place for pupils who may need alternative provision or programmes, and from Day 6 of a fixed period exclusion of more than 5 days (See Section C), and
 - collect, collate, monitor and communicate appropriate qualitative and quantitative information on all exclusions to inform national and county policy.
2. Carrying out the LA's obligations relating to attending and writing statements for school Governors' Discipline Committee (GDC) meetings on permanent, long fixed period exclusions, and Independent Reviews for permanent exclusions.

At the GDC meeting, the LA officer will present a statement for permanent exclusion cases and, where appropriate, exclusions exceeding 15 days. In Hampshire Academies are responsible for setting up an Academy Independent Review. Academies are able to contact HCC Legal Services Department for purchasing their facilities for the process and should consult with the Academies Officer prior to and throughout this process.

In preparation for presenting a statement, LA officers request a range of information and documentation from the excluding school. A list of the supporting documents, which are normally requested, is given in Section D and these should be circulated 5 days before the meeting to all those invited to the GDC review. This includes the parents even if they have initially expressed to the school that they will not be attending the meeting. Officers consult with appropriate colleagues and agencies e.g. EPS, Locality Team, CSD (Social Care) and YOT, consider the information and evidence against the criteria for exclusion and other statutory guidance, as well as in a context of wide experience of Hampshire exclusions. In most cases, a written statement is communicated to the clerk to the GDC and copied to parents/carers and the Principal prior to the meeting of the GDC.

The LA statement will draw the attention of the Discipline Committee to those issues where, for example, the LA feels that there is a lack of clarity, where more information might be helpful, where it is not evident best practice has been followed or where statutory guidance appears to have been ignored. The LA may, in particular, advise on how other schools have dealt with similar incidents, including alternatives to permanent exclusion, and advise on alternative arrangements for the pupil to continue his/her education if the exclusion is upheld.

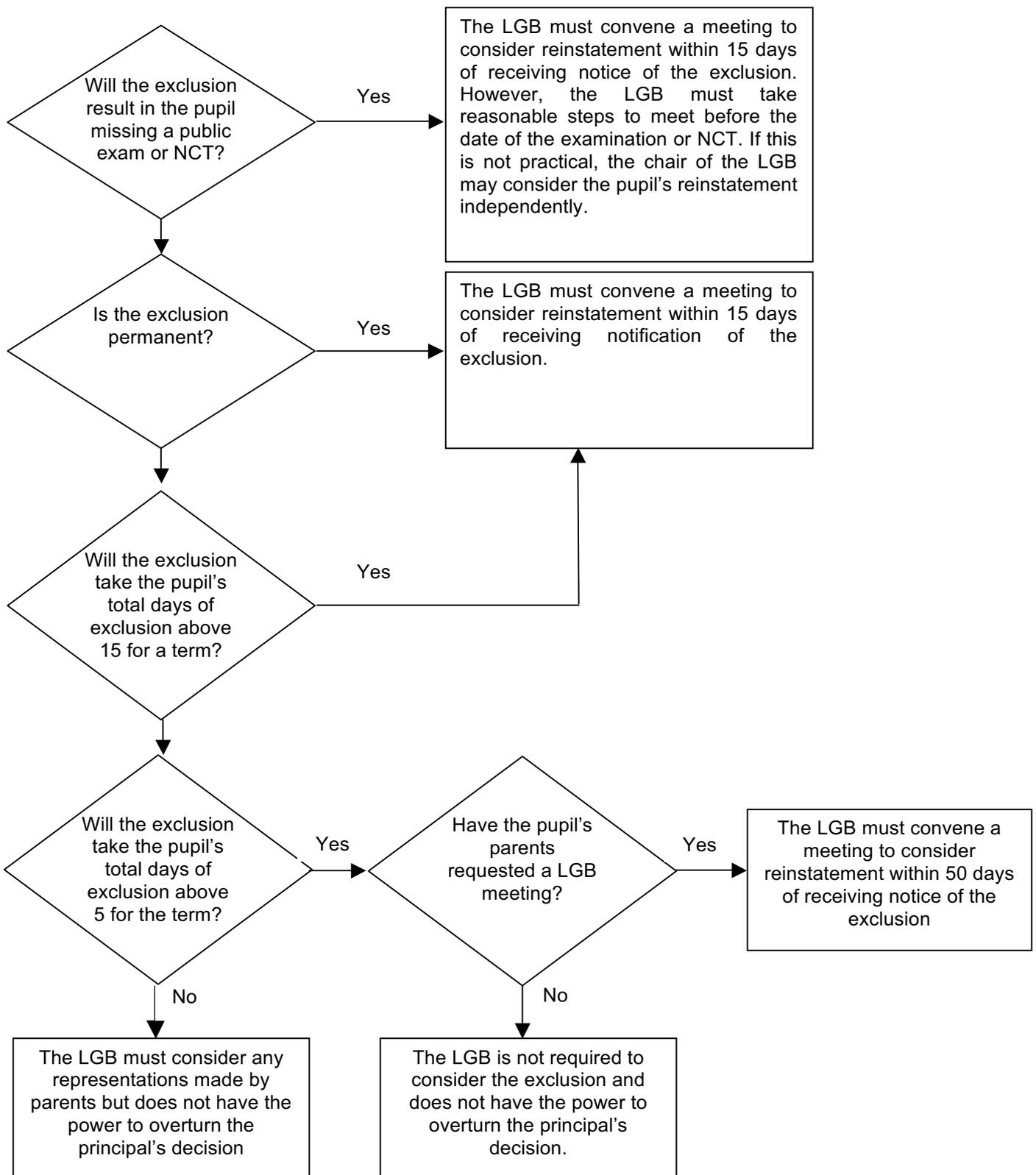
The LA statement is not a summative document, merely one formed from the information received by the date of writing. The statement will not say whether an exclusion is appropriate or not, but it might point out the lack of evidence or comment on the quality of evidence regarding the incident/s and support provided to the child to address the behaviour in question. It may ask members of the GDC to consider:

- whether evidence regarding the incident leading to exclusion was clear
- if the strategies, used by the academy, were appropriate and given time to succeed
- whether or not consideration has been given to any SEN or disability the pupil may have
- what evidence there is of planning and other agency involvement, or
- if there was evidence which shows that ‘allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or of others in the school’.

This advice is intended to assist governors to carry out a robust investigation of the decision to exclude, particularly in cases of permanent exclusion, before arriving at their decision to either uphold the exclusion or reinstate the pupil. Robust investigation at this stage will give the local governors sound reasoning for reaching their decision which is particularly helpful should a permanent exclusion go to Independent Review. It is the belief of the LA that the better the quality of the investigation and evidence presented by all parties involved, the more likely properly trained governors will be able to carry out their responsibility to review the Principal’s decision to exclude. Following the amended legislation and revised guidance of 2012, the Independent Review duties have a changed emphasis from a rehearing of the Principal’s decision to permanently exclude to a review of the Governors’ decision not to reinstate a permanently excluded pupil. Thus, governors’ duties have been extended and if there is to be a further review the robust quality and depth of evidence and investigation at the initial stages will help to clarify the decision making.

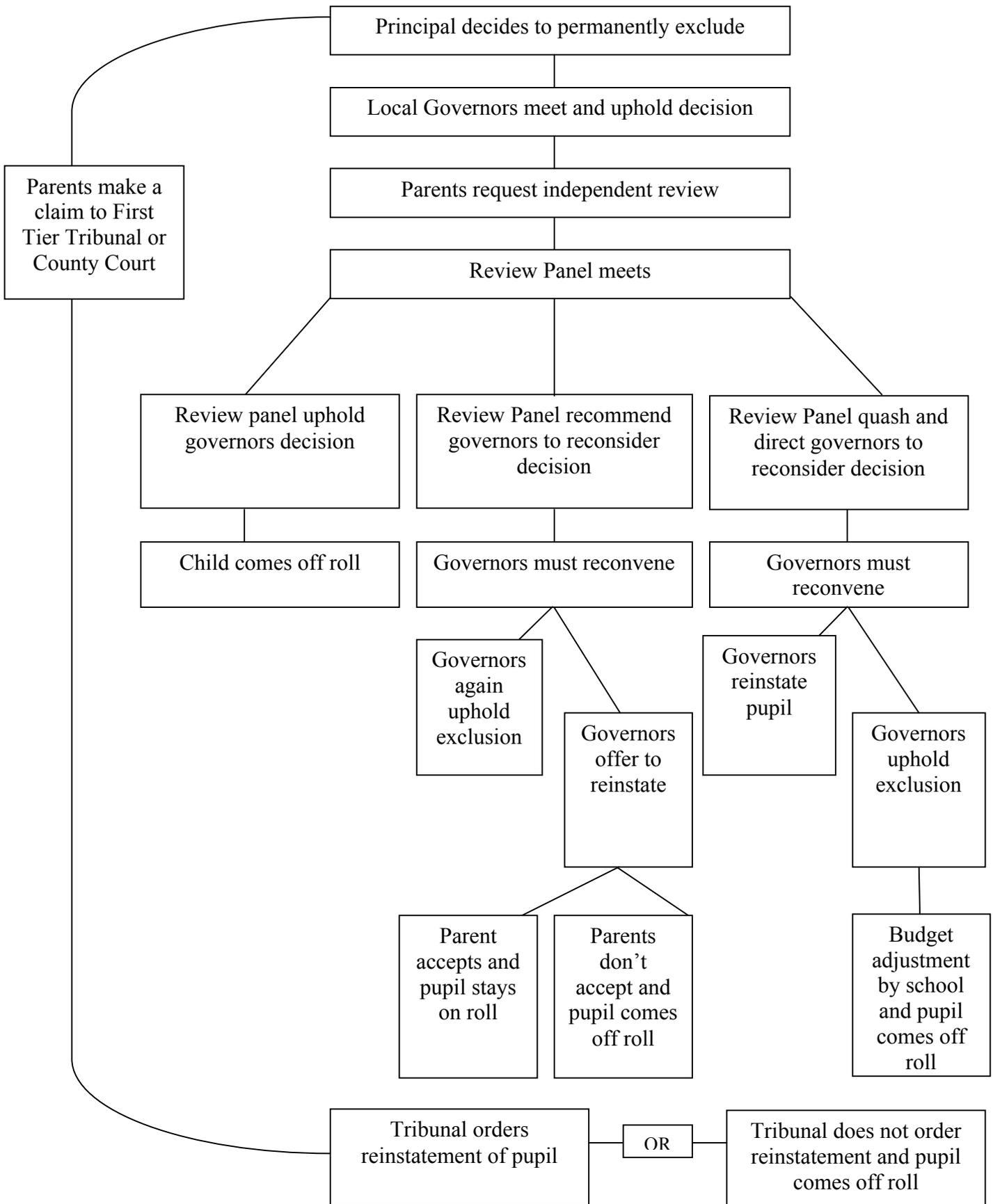
The flow chart in Section B (ii) demonstrates the possible options through the Independent Review process.

A summary of the local governing body's duties to review the principal's exclusion decision



The LGB may delegate its functions to consider an exclusion to a designated sub-committee. References to days mean 'school days'

A summary of the Independent Review Process following the Governors' decision to uphold the permanent exclusion



Alternative Provision

Providing full time education from the sixth day of an exclusion

Introduction

Since September 2007 maintained schools (including Academies and CTCs) and Local Authorities' Education Centres have been required to provide suitable full time education from and including the sixth day of any period of exclusion of six days or longer. Full time education means supervised education equivalent to that provided by mainstream schools in the area.

Key Points: legal obligations

The academy **must**:

- inform parents of their responsibility to ensure that their child is not present in a public place in school hours during the first five days of any fixed period exclusion without reasonable justification. Parents will face a fixed penalty notice or prosecution if their child is found in a public place in school hours without reasonable justification during this period.
- provide full time education from the sixth day of any fixed period exclusion of six days or longer. Parents must be informed of the start date of the provision, the start and finish times of the provision, the address at which the provision takes place and information required by the pupil to identify the person the pupil is reporting to on the first day (Parts 4.1 and 4.2).
- inform their own and, if different, the pupil's home LA immediately of each permanent exclusion.

The academy **should**:

- have in place simple, effective referral processes to ensure that as well as notifying parents, off-site providers have as much notice and information about the pupil as possible.
- review on a regular basis their processes and strategies in dealing with alternative provision. There should be robust quality assurance, monitoring and reporting. The DfE document, Alternative Provision, January 2013 provides further detail, particularly the section 'Statutory duties and powers with advice for good practice: <https://www.gov.uk/government/publications/alternative-provision> (paragraphs 28-39)

Possible models for the supply of suitable full time education

Academies should have access to a number of options to meet pupils' differing needs rather than a simple "one size fits all" approach. Provision for a day or two might look different to education arranged for a longer fixed period exclusion.

Reciprocal arrangements between schools

A couple of schools or a group could agree reciprocal arrangements whereby they each support excluded pupils from other schools in the area. This practice can operate with minimal costs and places can be arranged relatively quickly if the infrastructure of the school supports this.

Exclusion provision shared between several local schools

Another way to provide full time education from the sixth day of exclusion is for groups of schools to invest in, and share, an off-site facility. This facility could be something that already exists, similar to an Education Centre or youth centre, or it could be something

completely new. It could be run, for example, by a private company, charity or LA and should be in a central location that can be easily accessed by public transport.

An alternative version of this type might be shared provision where the excluding school hosts shared provision with at least one other school.

Group exclusions

Principals should make contingency plans about what to do in the event of a group of pupils being excluded together. It may be desirable to separate them which could be difficult in practice if they were dependent on the same school transport and/or if the school only had limited choice in provision. This suggests that schools should have access to at least two types of provision.

Education Centres

In Hampshire PRUs are known as Education Centres. Education Centre places are already used to cater for pupils who have been excluded from schools, for fixed periods or permanently. The LA will continue to work closely with schools to ensure adequate suitable places for pupils on short or longer-term exclusion. In fulfilling the sixth day responsibilities, Education Centre teachers-in-charge and school Principals should share information about availability of Education Centre places and likelihood of their use.

Externally contracted provision

Schools could commission alternative education from a variety of external providers who operate in the private and voluntary sectors, whilst retaining accountability for the quality of education and core responsibilities which cannot be delegated.

E-solutions

There is a range of ICT provision available to those for whom mainstream schooling is either unsuitable or impracticable although this tends to be more suitable as a longer term solution rather than just for a few days. The range of packages available varies from on-line learning systems for individual learners to virtual classroom type provision for groups of learners. However, this type of learning is usually the hardest to supervise and there must be reliable measures in place to monitor this type of provision if used. A number of schools are developing expertise in this area and it will be helpful if schools can share their learning and look at the possible options provided by this type of technology. Hampshire provides a virtual learning provision from Place2Learn, based at Basingstoke, which academies can refer to and access to support pupils during exclusion

“Staggered” school day

Some schools arrange on site education for excluded pupils with different start and finish times to other pupils. This practice can continue for pupils on an internal exclusion and for excluded pupils educated in a unit shared by several schools, but otherwise the law requires excluded pupils to be educated off site. Academies could set up an arrangement with local clusters or their feeder schools. It may be practical to sue half day exclusion for a few mornings and using ‘twilight sessions’ for provision. This would identify the behavior and bring a degree of security to the establishment.

Quality standards

Education provided for excluded pupils needs to be of the same high standard as they would receive in school. In arranging external provision schools need to be assured that the provision meets pupils’ needs as far as possible and meets quality standards and statutory compliance.

The DfE view is that ordinarily suitable full-time supervised education should equate with the number of hours of education the pupil would expect to receive in school. It ranges between 21-25 hours depending on the pupil’s age, and is set out in DfES Circular 7/90:

Management of the School Day. The provision needs to be recognized as education, and it must also be suitable to the pupil's ability, aptitude and any special educational needs.

After notification of exclusions of 6 days or more, the Local Authority Inclusion teams send out a letter and form requesting information following the provision. There is a duty on the Authority to monitor and record details of the provision. Copies of the letter (1) and form (2) are outlined below:

1. Letter

Dear *(Principal)*

Day 6 Provision: Pupil name, dob, date and length of exclusion

I am writing to request further detailed information about the provision your school is making for day 6 of the fixed period exclusion. I would be grateful if you can provide the requested information.

The standard school notification letter of exclusion is required:

- to inform the parent/carer of the dates of provision
- the address where it will take place,
- the time for the provision
- the person to whom the pupil reports
- and where applicable any transport details.

Please do expand the form if you need more space for the details or types of provision that have been implemented. An ideal opportunity to gather the information is the reintegration meeting following the period of exclusion and provision. Please do include any details of special circumstances which will clarify the provision situation.

Yours sincerely

Inclusion Officer

2. Form

Provision from Day 6 of a fixed period exclusion

Name		School		Start date of Exclusion	No. of days excluded
Year Group		Date of Birth		Last day of exclusion	Day 6 of this exclusion
Name of School contact planning & monitoring this provision:				Phone number and e-mail of school contact	
Timetable of provision offered <i>Please include times, subjects and location of sessions arranged. Please indicate if the child attended the session by entering 'Yes' or, if not, enter the relevant attendance code. Insert more rows or attach another sheet if necessary.</i>					
Date	Day of Week	Morning <i>examples</i>	Attendance	Afternoon <i>Examples</i>	Attendance
	<i>Wed</i>	<i>09.00 - 10.30 Science/ at Named School 11.00 – 1.30 English at same school</i>		<i>1.30 – 3.30 Sports at Named School</i>	
	<i>Thur</i>	<i>09.00 – 12.30 Hair and Beauty course at named FE College</i>		<i>1.00 – 3. 45 Hair and Beauty course at named FE College</i>	
		<i>Alternative example</i>			
	<i>Wed</i>	<i>08.15 - 9.45 Meeting with Tutor 10.00 – 12.30 Inclusion room</i>		<i>3.15 – 5.15 Inclusion room with Year Head – English & Maths</i>	
	<i>Thur</i>	<i>08.15 – 08.45 Meeting with Tutor 09.00 – 11.30 Inclusion room</i>		<i>3.15 – 5.15 Inclusion room at home sch with SENCo Science, Geography</i>	
Feedback					
Were there any significant behaviour difficulties during provision?					
Parental feedback about this provision:					
Pupil feedback about this provision:					
Detail positive outcomes as a result of the alternative provision:					
Form completed by:				Date:	

Information required for Governors' Discipline Committee meetings

When a Governors' Discipline Committee (GDC) meeting is convened, it is important that the documentary evidence is as comprehensive as possible, and sent to parents, members of the GDC and the LA and Trust (where appropriate) at least **5 school days** prior to the meeting, in order that all parties are fully informed. It is important to remember that the paperwork supplied must be the same for all parties and, if the academy has cause to be concerned about the confidentiality of witness statements, the names can be anonymously coded. Part 8.3, paragraph 111 of the Guidance states 'All written witness statements must be attributed, signed and dated, unless the school has good reason to wish to protect the anonymity of the witness, in which case the statement should at least be dated and labelled in a way that allows it to be distinguished from other statements. The general principle remains that excluded pupils are entitled to know the substance behind the reason for their exclusion'. The Principal has to show, on the balance of probabilities that the pupil did what he or she is alleged to have done but the more serious the accusation the more convincing the evidence needs to be.

When it is appropriate for a GDC meeting to be called, the Inclusion Officer may request, in writing, the supporting documentation as listed in Section Di to arrive at least one week in advance of the GDC meeting.

From September 2012 parents are able to request an SEN expert to give a view on the SEN support of their child at the Independent Review stage of the permanent exclusion process. Although the SEN expert will not be required to attend a Governors' Discipline meeting by inference there will be an expectation that there is an understanding and review of the support given to a pupil's SEN. It would be advisable for Governors to check that they are satisfied the school has made provision for any SEN the pupil may have or need regardless of formal identification.

Paragraph 64 of the DfE Exclusions Guidance 2012 states:

The local governing body should identify the steps they will take to ensure all parties will be supported to participate in their consideration and have their views properly heard. This is particularly important where pupils under 18 are speaking about their own exclusion or giving evidence to the local governing body.

There will be circumstances when the full list of information will not be necessary, for example in instances of exclusions for single serious incidents. However it is important to remember that governors can only make decisions based on the information given to them.

The LA would also wish to advise schools and governors that if the Data Protection Officer for the LA or Trust receives a Subject Access Request to disclose all records, all documentation including emails, administration forms, telephone messages, etc are required for disclosure, unless one of the exemptions of the Act applies. Where schools receive a Subject Access Request it is strongly recommended that they take appropriate advice.

Checklist for school paperwork required for Governors' Discipline Committee meetings

Detailed account of the actual incident which led to permanent exclusion including signed and dated witness statements (DfE, para 111), and if possible a statement from the excluded pupil.	
Written record of the actions taken by the Principal, including any interview with the pupil concerned. Copies of written records made by other members of staff.	
A synopsis of the events which culminated in the permanent exclusion, over a period of time e.g. behaviour log including references to sanctions such as fixed period exclusions and other actions.	
Pastoral Support Programme (PSP)/Individual Behaviour Management Plan (IBMP) identifying pupil and parental involvement, target areas, strategies, outcomes and timeframes	
Written evidence showing how the school has attempted to ameliorate the behaviour, describing the types of intervention strategies where these are not included in Individual Education Plans (IEPs), PSPs or IBMPs, and Reasonable adjustments where relevant, Part 6.1 paragraph 58.	
Information regarding the involvement of other agencies such as Child and Family Services, Youth Offending, Children's Services (Social Care), Education Inclusion Service, multi-agency meetings and minutes where possible e.g. Early Help & TAC	
SEN perspective – Educational Psychology /Teacher Adviser reports and any supporting SEN papers (e.g. IEP reflecting how a pupil's needs have been addressed and whether targets have been met, including the SEN Audit allocation for supporting this pupil and reviews of progress), statutory assessment request, copy of statement of special educational needs or EHCP, last annual review). Schools should be able to evidence how they have identified or supported a pupil appropriately, or identify the pupil's needs have been assessed.	
Educational Psychologist's report, assessment and how recommendations have been implemented.	
Summaries of previous detentions, lunchtime exclusions, and/or internal exclusions if these are not referred to in the behaviour logs.	
Evidence of other relevant communication and/or involvement with parents/carers and responses.	
Attendance records over the last 12 months showing the percentage of authorised and unauthorised absences.	
A summary of the pupil's strengths and abilities in relation to National Curriculum Key Stages, e.g. copies of current or recent academic reports, records of achievement for Y10 and Y11, profile sheet of capabilities, SATS results, CAT scores and Fischer Family Trust data. This information is also necessary so that the pupil's future education may be reviewed.	
If the pupil has transferred from another school, the name of the new school, the date on which they transferred and copies of any transition or transfer plans.	
School's Behaviour/Discipline Policy, SEN policy and other Policies where relevant e.g. Substance Misuse policy	

Education and Admissions following a permanent exclusion

Introduction

The LA has the responsibility towards all permanently excluded pupils to:

- a) provide a suitable full time education from day 6; and
 - b) reintegrate pupils as quickly as possible, where practical, into a suitable mainstream school.
1. Following the Principal's decision to permanently exclude a pupil, a combined exclusion notification form and referral is made to the Education Inclusion Service (EIS). During the first five days of exclusion the Education Centre Manager will invite the parents/carers and the pupil for an interview and discuss educational provision to be put into place.
 2. The pupil's needs will be assessed and, if appropriate, will be considered for reintegration by the local inclusion panel in the pupil's home area in conjunction with the Fair Access protocol. It requires that certain groups of pupils are included in the protocol.
 3. Parents/carers will still retain the right to apply for school places and admission appeals at any stage after the permanent exclusion but may find it beneficial to obtain LA support in doing this.
 4. LAs are responsible for ensuring that, where possible, pupils are quickly reintegrated into mainstream schools. Ideally, many permanently excluded pupils should rejoin a mainstream or special school within days or weeks. The longer a young person is out of school the more difficult it can be for them to reintegrate.
 5. It is normally unacceptable for a school to refuse to admit a child on the basis of their behaviour elsewhere. Exceptionally, outside the normal year of entry, admission authorities may decide to refuse to admit a child with challenging behaviour even though there are places available, on the grounds that admission would prejudice the provision of efficient education or the efficient use of resources. This will normally only be appropriate where a school has a particularly high concentration of pupils with challenging behaviour, or previously excluded children, and in either case the school:
 - a) is in special measures category or has recently come out of them (within the last two years), or
 - b) has been identified by Ofsted as having serious weaknesses, or requiring significant improvement and therefore given 'notice to improve', or
 - c) is subject to a formal warning notice, or
 - d) is a Fresh Start school or academy open for less than 2 years, or
 - e) is a secondary school where less than 30% of pupils are achieving 5 or more GCSEs at Grade 9-4, or a primary school where fewer than 65% meet the expected standard or above in reading, writing and maths at Key Stage 2 in both English and mathematics for four or more consecutive years.